



**Connecticut State Medical Society
Connecticut Chapter of the American College of Physicians
Connecticut Chapter of the American College of Surgeons
Testimony in strong Support of House Bill 6393 An Act Concerning The Professional
Standard of Care for Emergency Medical Care Providers**

**Public Health Committee
March 7, 2012**

Senator Gerratana, Representative Johnson and Members of the Public Health Committee, on behalf of the more than 8,500 members of the Connecticut State Medical Society (CSMS) and the Connecticut Chapters of the American College of Physicians and the American College of Surgeons, thank you for opportunity to provide this testimony in strong Support of **Bill 6393 An Act Concerning The Professional Standard of Care for Emergency Medical Care Providers**

For more than a quarter of a century, the federal Emergency Medical Treatment and Active Labor Act (EMTALA) law has ensured that every person has a RIGHT to emergency medical care in hospitals. Physicians -- including those practicing emergency medicine, as well as other medical specialists, surgeons, and even primary care physicians who provide medical care in emergency situations to stabilize a condition -- cannot choose the patients or services they provide. A significant portion of people requiring services covered by EMTALA lack the financial resources or health insurance to pay for those services, often falling into a high-risk category in which complications beyond the control of the physician may develop, causing both patient and physician considerable concern. The bill before you today moves us toward increased protection for physicians providing emergency services, and will guarantee that patients in need of such services receive appropriate and high-quality medical care.

Language before you today states that physicians providing services in Emergency Departments shall not be held liable unless, as appropriate, the physician has demonstrated a "reckless disregard" for consequences. As defined, this would be a situation in which the physician knew or should have known that the treatment created an unreasonable risk of injury. We support this language. However, given that emergency care and treatment may be provided by physicians in settings other than Emergency Departments, we ask that the proposed bill be amended to include any and all EMTALA-related services to ensure that the entire spectrum of those services is captured for settings where emergency care and treatment are provided in Connecticut. These situations and services should have the same level of protection.

Thank you for the opportunity to provide this testimony to you today. Please support House Bill 6393.